

REMARKS/ARGUMENTS

Claims 1-7 and 12-27 are pending in this application. Claims 1, 12-13, and 25-26 are independent claims. Claim 27 is a newly added claim.

Claim Rejections – 35 USC § 102

Claims 1-2, 7, 12-18, 22 and 25-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kusunoki (“Kusunoki”, U.S. Pat. No. 5,324,980). Applicant respectfully traverses these rejections.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). Further, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Independent Claim 1 recites “a semiconductor support substrate” (emphasis added). This may be illustrated, for example, by “[s]imilarly the logic or microprocessor is formed in the semiconductor substrate, using well known processing techniques” (emphasis added) (Specification, page 6, lines 1-2), and by Figure 1 and

The integrated circuit 2 comprises a support element 4 comprising any semiconductor based structure having an exposed surface with which an integrated circuit structure of the present invention may be formed. The term “substrate” may include one or more layers that have been fabricated into a sheet or support, and may include other functional layers fabricated thereon. For example, but without limitation of this concept, doped and undoped semiconductors, epitaxial semiconductor layers supported by a base semiconductor or insulator, as well as other semiconductor structures may be used (emphasis added) (Specification, page 8, lines 6-13).

In other words, the “semiconductor support substrate,” as recited in Claim 1, is a semiconductor.

In rejecting independent Claim 1, the Patent Office has analogized the layer 901b in FIG. 20F of Kusunoki to the foregoing indicated element (Office Action, page 2). Applicant respectfully disagrees.

As indicated in Kusunoki, “a substrate 901b of a transparent material such as quartz is formed on the display 922” (emphasis added) (col. 25, ll. 7-9). In other words, the substrate 901b is comprised of a transparent material such as quartz. It is well known that quartz is composed of silica (i.e., silicon dioxide, chemical formula SiO₂), which is *not* a semiconductor. In comparison, silicon (chemical formula Si) is a semiconductor. Thus, the substrate 901b of Kusunoki *cannot* be “a semiconductor support substrate,” as recited in Claim 1. Because Kusunoki fails to teach, disclose, or suggest the element of “a semiconductor support substrate,” as claimed in Claim 1, the rejection of Claim 1 should be withdrawn, and the Claim 1 should be allowed.

Claims 2, 7, 22 and 27 depend from Claim 1 and are therefore allowable due to their dependence.

Independent Claims 12-13 and 25-26 were essentially rejected based on the same rationale as applied to Claim 1. Since Claim 1 is allowable, Claims 12-13 and 25-26 should also be allowed.

Claims 14-18 depend from Claim 13 and are therefore allowable due to their dependence.

Claim Rejections – 35 USC § 103(a)

Claims 3-6, 19-21, and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kusunoki in view of Holm et al. (“Holm”, U.S. Pat. No. 5,501,990). Applicant respectfully traverses this rejection.

“To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (emphasis added) (MPEP § 2143). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. (emphasis added) *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Neither Kusunoki (as indicated in the foregoing *Claim Rejections – 35 USC § 102* section) nor Holm teaches, discloses, or suggests the element of “a semiconductor support substrate”, as claimed in Claim 1, independent Claim 1 is therefore allowable. Claims 3-6 and 23-24 depend from Claim 1 and are therefore allowable due to their dependence.

Claim 13 is allowable since Claim 1 is allowable and since Claim 13 was essentially rejected based on the same rationale as applied to Claim 1. Claims 19-21 depend from Claim 13 and are therefore allowable due to their dependence.

CONCLUSION

In light of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in the case.

Respectfully submitted on behalf of
Gateway, Inc.,

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By: _____

Peng Zhu

Reg. No. 48,063

SUITER • WEST PC LLO
14301 FNB Parkway, Suite 220
Omaha, NE 68154
(402) 496-0300 telephone
(402) 496-0333 facsimile